

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

**PORT HAMILTON REFINING AND
TRANSPORTATION, LLLP,**

PLAINTIFF,

V.

**LIMETREE BAY TERMINALS, LLC, D/B/A OCEAN
POINT TERMINALS AND ALL OTHERS CLAIMING AN
INTEREST IN ANY IMPROVEMENTS LOCATED ON
ANY OF THE FOLLOWING PROPERTIES:**

**REFINERY PLOT 1-AB, (COMPRISING 6.8818 U.S.
ACRES) AND REMAINDER OF REFINERY PLOT NO. 1
(COMPRISING 114.9456 U.S. ACRES), OVER PORTIONS
OF ESTATES BLESSING AND HOPE, KING AND QUEEN
QUARTERS, ST. CROIX, U.S. VIRGIN ISLANDS AS
SHOWN ON OLG DRAWING NO. A9-L 40-C0 19, DATED
MAY 24, 2019;**

**REMAINDER OF REFINERY PLOT NO. 2 (COMPRISING
26.5670 U.S. ACRES), OVER PORTIONS OF ESTATES
BLESSING, HOPE AND JERUSALEM, KING AND QUEEN
QUARTERS, ST. CROIX, U.S. VIRGIN ISLANDS AS
SHOWN ON OLG DRAWING NO. A9-142-C019, DATED
MAY 30, 2019; AND**

**REMAINDER OF REFINERY PLOT NO. 3 (COMPRISING
184.4305 U.S. ACRES), OVER PORTIONS OF ESTATES
JERUSALEM, FIGTREE HILL AND CASTLE COAKLEY
LAND, QUEEN QUARTER, ST. CROIX, U.S. VIRGIN
ISLANDS AS SHOWN ON OLG DRAWING NO.
A9-141-C019, DATED MAY 24, 2019.**

DEFENDANTS.

CASE NO. 1:24-CV-00004

[PROPOSED] ORDER ON MOTION TO REMAND

This matter is before the Court on the motion of Port Hamilton Refining and Transportation, LLLP (“Port Hamilton”) to remand this matter to the Superior Court of the Virgin Islands. The Court finds that Ocean Point’s removal of the action was untimely such that this Court lacks jurisdiction. It further finds that it lacks post-confirmation jurisdiction over the dispute. Finally the Court concludes that it is required to abstain from the case but, if it were not, as a matter of the sound exercise of the Court’s discretion, it would abstain from the matter.

Accordingly, it is **ORDERED** that this matter is remanded to the Superior Court of the Virgin Islands. The Clerk shall close this case.

U.S. District Judge